

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**VIRGINIA ALEYN, DOMINIQUE BELL,
KRIS MOUNT, SUKOL PHAIROJ,
KATHERINE TUMINELLI, AND CRAIG
YOCHAM on behalf of themselves and all
others similarly situated,**

INDEX NO: 07-CV-6276 (HB)

Plaintiffs,

v.

**JEAN-GEORGES ENTERPRISES, LLC
d/b/a V STEAKHOUSE; JEAN-GEORGES
MANAGEMENT LLC d/b/a
V STEAKHOUSE; JEAN-GEORGES
VONGERICHTEN and PHIL SUAREZ**

Defendants.

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DECLARATION OF MAIMON KIRSCHENBAUM

I, Maimon Kirschenbaum, under penalty of perjury, affirm as follows:

1. I am an attorney at Joseph & Herzfeld LLP, plaintiffs' counsel in the above-captioned matter.
2. Per the Parties' Stipulation of Settlement, on or about May 22, 2008, my firm mailed opt-in notices to the entire Class as defined by the Stipulation.
3. My staff exercised due diligence in ensuring that the notices actually reached their intended destinations following the mailing, as set forth in the Stipulation.

I affirm, under penalty of perjury, that the above and foregoing information is true and correct.

Dated: New York, New York
July 8, 2008

/s/ D. Maimon Kirschenbaum
D. Maimon Kirschenbaum